

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

10 DARREN HARRIS, Case No. 1:05-cv-00003-AWI-SKO (PC)
11 Plaintiff, ORDER STRIKING NOTICE
12 v. (Doc. 125)
13 KIM, et al.,
14 Defendants.

17 Plaintiff Darren Harris, a state prisoner proceeding pro se and in forma pauperis, filed this
18 civil rights action pursuant to 42 U.S.C. § 1983 on January 3, 2005. This action is proceeding on
19 Plaintiff's fourth amended complaint against Defendants Olivarria, Williams, and Kim for
20 violation of the Eighth Amendment, and against Defendants Olivarria and Lowden for violation of
21 the First Amendment.

22 On January 21, 2014, Plaintiff filed a “Notice of Retaliatory Actions by CDCR Officials
23 Due to [Exercise] of First Amendment Rights.” This action arises from events which occurred at
24 California State Prison-Corcoran in 2002. (Doc. 64.) Plaintiff is currently incarcerated at
25 California Men’s Colony in San Luis Obispo, and his conditions of confinement there do not and
26 cannot form the basis for any request for relief made in this action. *Summers v. Earth Island*
27 *Institute*, 555 U.S. 488, 493, 129 S.Ct. 1142, 1149 (2009); *Mayfield v. United States*, 599 F.3d
28 964, 969 (9th Cir. 2010).

1 Accordingly, Plaintiff's notice is HEREBY STRICKEN from the record.
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IT IS SO ORDERED.

5 Dated: March 24, 2014

/s/ Sheila K. Oberto
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UNITED STATES MAGISTRATE JUDGE